

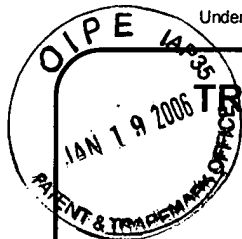
01-23-06

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number		10/828,970
Filing Date		April 21, 2004
First Named Inventor		Christopher P. Miller
Art Unit		1625
Examiner Name		B. Dentz
Total Number of Pages in This Submission	Attorney Docket Number	WYTH0039-101/AM100787D1

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Request for Correction of Inventorship Under 37 CFR 1.48(a) with related documents
Remarks VIA EXPRESS MAIL LABEL NO: EV552972314US DATE SENT: JANUARY 19, 2006		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm	Cozen O'Connor		
Signature			
Printed Name	Michael A. Patané		
Date	January 19, 2006	Reg. No.	42,982

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Signature			
Typed or printed name		Date	

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 12/08/2004.
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).**FEE TRANSMITTAL
for FY 2005**

Complete if Known

Application Number	10/828,970
Filing Date	April 21, 2004
First Named Inventor	Christopher P. Miller
Examiner Name	B. Dentz
Art Unit	1625
Attorney Docket No.	WYTH0039-101/AM101787D1

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

(\$)

130

METHOD OF PAYMENT (check all that apply)☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify) : _____☒ Deposit Account Deposit Account Number: 50-1275 Deposit Account Name: Cozen O'Connor

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below☐ Charge fee(s) indicated below, except for the filing fee☒ Charge any additional fee(s) or underpayments of fee(s)☒ Credit any overpayments

Under 37 CFR 1.16 and 1.17

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	_____
Design	200	100	100	50	130	65	_____
Plant	200	100	300	150	160	80	_____
Reissue	300	150	500	250	600	300	_____
Provisional	200	100	0	0	0	0	_____

2. EXCESS CLAIM FEES**Fee Description**

Each claim over 20 (including Reissues)

Fee (\$)

50

Each independent claim over 3 (including Reissues)

200

Multiple dependent claims

360

Total Claims**Extra Claims****Fee (\$)****Fee Paid (\$)**

_____ -20 or HP= _____ x _____ = _____

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims**Extra Claims****Fee (\$)****Fee Paid (\$)**

_____ - 3 or HP= _____ x _____ = _____

HP = highest number of independent claims paid for, if greater than 3.

Small Entity

Fee (\$)

25

100

180

Multiple Dependent Claims**Fee (\$)****Fee Paid (\$)****3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
_____	_____	_____	_____	_____

_____ - 100 = _____ / 50 = _____ (round up to a whole number) x

= _____

4. OTHER FEE(S)

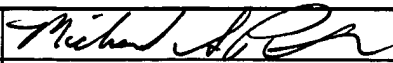
Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Request for Correction of Inventorship

Fees Paid (\$)

130

SUBMITTED BY

Signature		Registration No. (Attorney/Agent)	42,982	Telephone	215-665-2000
Name (Print/Type)	Michael A. Patané	Date	January 19, 2006		

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing this form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

WYTH0039-101 (AM100787 D1)
Serial No. 10/828,970

December 9, 2005 Request
for Correction of Inventorship

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Christopher P. Miller et al.

Confirmation No.: 5396

Serial No.: 10/828,970

Art Unit No.: 1625

Filing Date: April 21, 2004

Examiner: Bernard I. Dentz

For: SUBSTITUTED 2-PHENYL BENZOFURANS AS ESTROGENIC AGENTS

Customer No.: 35139

MAIL STOP ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

VIA EXPRESS MAIL LABEL NO:
DATE SENT:

STATEMENT OF ADDITIONAL INVENTOR

PURSUANT TO 37 C.F.R. § 1.48(a)

Sir:

I, C. Richard Lyttle, am requesting that I be added as an inventor to the above-referenced patent application. My name was omitted, in error, from the original Declaration and Power of Attorney and other original application documents without any deceptive intent on my part.

This Statement is being submitted along with a Request for Corrected Inventorship, a written Consent of the Assignee, and a fresh Declaration and Power of Attorney, listing and executed by each of the inventors.

Respectfully submitted,

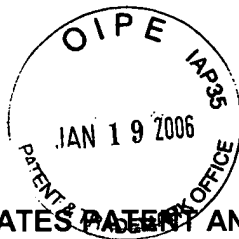


C. Richard Lyttle
Joint Inventor

01/24/2006 HTECKLU2 00000066 501275 10828970
01 FC:1464 130.00 DA

MAP:

WYTH0039-101 (AM100787 D1)
Serial No. 10/828,970



January 19, 2006 Request
for Correction of Inventorship

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Christopher P. Miller et al.

Confirmation No.: 5396

Serial No.: 10/828,970

Art Unit No.: 1625

Filing Date: April 21, 2004

Examiner: Bernard I. Dentz

For: SUBSTITUTED 2-PHENYL BENZOFURANS AS ESTROGENIC AGENTS

Customer No.: 35139

**MAIL STOP ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**

**VIA EXPRESS MAIL LABEL NO: EV552972314US
DATE SENT: JANUARY 19, 2006**

**REQUEST FOR CORRECTION OF INVENTORSHIP
UNDER 37 C.F.R. §§ 1.48 (a)**

Sir:

Applicants respectfully request correction of inventorship in the above-referenced application pursuant to 37 C.F.R. §1.48 (a) and (b).

Additional Inventor under 37 C.F.R. § 1.48(a)

Applicants respectfully submit that this submission satisfies the requirements of 37 C.F.R. § 1.48(a) as set forth in MPEP § 201.03:

- 1) Applicants respectfully request that C. Richard Lyttle be added as an inventor;
- 2) Enclosed herewith is a statement from the additional inventor, C. Richard Lyttle, that his addition as an inventor corrects an error of omission that occurred without any deceptive intent;
- 3) Enclosed herewith is a fresh, substitute Combined Declaration and Power of Attorney executed by each of the actual inventors – the remaining original inventors, Christopher P. Miller, Michael D. Collini, David H. Kaufman, Robert L. Morris, Robert R. Singhaus, Jr., John W. Ullrich, and Rayomand J. Unwalla and the additional inventor, C. Richard Lyttle;
- 4) Enclosed herewith is written consent from the existing Assignee, Wyeth, for the addition of C. Richard Lyttle as an inventor in the above-referenced application.

An Assignment from C. Richard Lyttle to the current Assignee, was filed and recorded on December 14, 2005 at Reel 016895 Frame 0017.

Applicants' Request for Correction of Inventorship Under 37 C.F.R. § 1.48(b) to delete inventors whose invention is no longer being claimed, filed on December 14, 2005 has been granted pursuant to an Office Communication issued January 10, 2006.

Applicants hereby authorize the Commissioner to charge the fee set forth in 37 C.F.R. 1.17(i) (\$130.00) to Deposit Account No. 50-1275 for filing this Request. The Commissioner is hereby authorized to charge any additional payment or credit any overpayment to Deposit Account No. 50-1275. (A Fee Transmittal Sheet containing this authorization is enclosed in duplicate.)

Applicants respectfully submit that the requirements of 37 C.F.R. §1.48(a) have been met and respectfully request that C. Richard Lyttle be added as an inventor. Confirmation of the same is respectfully requested. Early and favorable action on this Request is respectfully requested.

Respectfully submitted,



Michael A. Patané
Reg. No. 42,982

MAP:

Date: January 19, 2006

1900 Market Street
Philadelphia, PA 19103-3508
215-665-6966

SUBSTITUTE COMBINED DECLARATION AND POWER OF ATTORNEY
(Original, Design, Supplemental, Divisional, Continuation, CIP)

As the below named inventor, I hereby declare that:

INVENTORSHIP IDENTIFICATION

My residence, post office address and citizenship are as stated below next to my name. I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

TITLE OF INVENTION

SUBSTITUTED 2-PHENYL BENZOFURANS AS ESTROGENIC AGENTS

SPECIFICATION IDENTIFICATION

the specification of which: (complete (a), (b), or (c))

- (a) ☐ is attached hereto.
(b) ☒ was filed on April 21, 2004 as
 ☒ Application Number 10/828,970
 ☐ Express Mail No. _____, as Application Number not yet known
(c) ☐ was described and claimed in PCT International Application No. _____ filed
 on _____ and as amended under PCT Article 19 on _____ (if any).

ACKNOWLEDGEMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37 CFR 1.56(a).

PRIORITY CLAIM

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventors certificate or of any PCT International application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate of any PCT International application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) on which priority is claimed.

- (d) ☒ No such applications have been filed.
(e) ☐ Such applications have been filed as follows.

NOTE: Where item (c) is entered above and the International Application which designated the U.S. claimed priority, check item (e), enter the details below and make the priority claim.

Earliest Foreign Application(s), if any, filed within 12 months (6 months for Design) prior to this U.S. Application

Country	Application No.	Date of Filing (Day, Month, Year)	Priority Claimed 35 USC 119

All Foreign Application(s), if any, Filed More Than 12 Months
(6 Months for Design) Prior to This U.S. Application

CLAIM FOR BENEFIT OF PRIOR U.S. PROVISIONAL APPLICATION(S)
(35 U.S.C. § 119(E))

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below:

PROVISIONAL APPLICATION NUMBER

FILING DATE

60/341,638

December 18, 2001

CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATION(S)
(UNDER 35 U.S.C. 120)

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56(a) which occurred between the filing date of the prior application(s) and the national or PCT International filing date of this application.

**PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS
DESIGNATING THE U.S. FOR BENEFIT UNDER 35 USC 120**

U.S. Applications		Status (Check One)		
U.S. Applications	U.S. Filing Date	Patented	Pending	Abandoned
10/320,207	12/16/02	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

PCT Applications Designating U.S.		
PCT APPLICATION NO.	PCT FILING DATE (Day, Month, Year)	U.S. APPLICATION NO. ASSIGNED (if any)

POWER OF ATTORNEY

As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

☒ Customer Number: **35139**

☐ Attached as part of this declaration and power of attorney is the authorization of the above-named attorney(s) to accept and follow instructions from my representative(s).

SEND CORRESPONDENCE TO:

Customer Number: **35139**

DIRECT ALL TELEPHONE CALLS TO:

Name: Michael A. Patané
Tel. No. 215-665-2000

DECLARATION

I hereby declare that all statements herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

SIGNATURE(S)

Full name of SOLE OR FIRST INVENTOR: **Christopher P. MILLER**

Inventor's Signature Christopher P. Miller Date 1/04/06

Country of Citizenship: **United States of America**
Residence : **72 Meadowbrook Road, Wayne, Pennsylvania 19087**
Post Office Address: **Same**

Full name of SECOND JOINT INVENTOR: **Michael D. COLLINI**

Inventor's Signature Michael D. Collini Date 1/04/06

Country of Citizenship: **United States of America**
Residence : **251 Davis Avenue, Clifton Heights, Pennsylvania 19018**
Post Office Address: **Same**

Full name of THIRD JOINT INVENTOR: **David H. KAUFMAN**

Inventor's Signature David Kaufman Date 1/17/06

Country of Citizenship: **United States of America**
Residence : **750 Old Lancaster Road, Apt. B304, Berwyn, Pennsylvania 19312**
Post Office Address: **Same**

Full name of FOURTH JOINT INVENTOR: **Robert L. MORRIS**

Inventor's Signature Robert L. Morris Date 1/04/06

Country of Citizenship: **United States of America**
Residence : **125 Conestoga Road, Wayne, Pennsylvania 19087**
Post Office Address: **Same**

Full name of FIFTH JOINT INVENTOR: **Robert R. SINGHAUS, Jr.**

Inventor's Signature Robert R. Singhaus Jr Date 1/17/06

Country of Citizenship: **United States of America**
Residence : **333 Sooner Lane, Blandon, Pennsylvania 19510**
Post Office Address: **Same**

Full name of SIXTH JOINT INVENTOR: **John W. ULLRICH**

Inventor's Signature  Date 1/04/06

Country of Citizenship: **United States of America**

Residence : **121 Edgefield Drive, Downingtown, Pennsylvania 19335**

Post Office Address: **Same**

Full name of SEVENTH JOINT INVENTOR: **Rayomand J. UNWALLA**

Inventor's Signature  Date 1/17/06

Country of Citizenship: **India**

Residence : **4025 Killington Court, Eagleville, Pennsylvania 19403**

Post Office Address: **Same**

Full name of EIGHTH JOINT INVENTOR: **C. Richard LYTTLE**

Inventor's Signature _____ Date _____

Country of Citizenship: **Canada**

Residence : **120 Edgehill Road, Bala Cynwyd, Pennsylvania 19004**

Post Office Address: **Same**

SUBSTITUTE COMBINED DECLARATION AND POWER OF ATTORNEY
(Original, Design, Supplemental, Divisional, Continuation, CIP)

As the below named inventor, I hereby declare that:

INVENTORSHIP IDENTIFICATION

My residence, post office address and citizenship are as stated below. I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

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SUBSTITUTED 2-PHENYL BENZOFURANS AS ESTROGENIC AGENTS

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the specification of which: (complete (a), (b), or (c))

- (a) ☐ is attached hereto.
(b) ☒ was filed on April 21, 2004 as
 ☒ Application Number 10/828,970
 ☐ Express Mail No. , as Application Number not yet known
(c) ☐ was described and claimed in PCT International Application No. filed
 on and as amended under PCT Article 19 on (if any).

ACKNOWLEDGEMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37 CFR 1.56(a).

PRIORITY CLAIM

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate or of any PCT International application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate of any PCT International application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) on which priority is claimed.

- (d) ☒ No such applications have been filed.
(e) ☐ Such applications have been filed as follows.

NOTE: Where item (c) is entered above and the International Application which designated the U.S. claimed priority, check item (e), enter the details below and make the priority claim.

Earliest Foreign Application(s), if any, filed within 12 months (6 months for Design) prior to this U.S. Application

Country	Application No.	Date of Filing (Day, Month, Year)	Priority Claimed 35 USC 119

All Foreign Application(s), if any, Filed More Than 12 Months
(6 Months for Design) Prior to This U.S. Application)

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(35 U.S.C. § 119(E))

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FILING DATE

60/341,638

December 18, 2001

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(UNDER 35 U.S.C. 120)

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56(a) which occurred between the filing date of the prior application(s) and the national or PCT International filing date of this application.

**PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS
DESIGNATING THE U.S. FOR BENEFIT UNDER 35 USC 120**

U.S. Applications		Status (Check One)		
U.S. Applications	U.S. Filing Date	Patented	Pending	Abandoned
10/320,207	12/16/02	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

PCT Applications Designating U.S.		
PCT APPLICATION NO.	PCT FILING DATE (Day, Month, Year)	U.S. APPLICATION NO. ASSIGNED (if any)

POWER OF ATTORNEY

As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

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☐ Attached as part of this declaration and power of attorney is the authorization of the above-named attorney(s) to accept and follow instructions from my representative(s).

SEND CORRESPONDENCE TO:

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DIRECT ALL TELEPHONE CALLS TO:

Name: Michael A. Patané
Tel. No. 215-665-2000

DECLARATION

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SIGNATURE(S)

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Inventor's Signature _____ Date _____

Country of Citizenship: **United States of America**
Residence : **72 Meadowbrook Road, Wayne, Pennsylvania 19087**
Post Office Address: **Same**

Full name of SECOND JOINT INVENTOR: **Michael D. COLLINI**

Inventor's Signature _____ Date _____

Country of Citizenship: **United States of America**
Residence : **251 Davis Avenue, Clifton Heights, Pennsylvania 19018**
Post Office Address: **Same**

Full name of THIRD JOINT INVENTOR: **David H. KAUFMAN**

Inventor's Signature _____ Date _____

Country of Citizenship: **United States of America**
Residence : **750 Old Lancaster Road, Apt. B304, Berwy, Pennsylvania 19312**
Post Office Address: **Same**

Full name of FOURTH JOINT INVENTOR: **Robert L. MORRIS**

Inventor's Signature _____ Date _____

Country of Citizenship: **United States of America**
Residence : **125 Conestoga Road, Wayne, Pennsylvania 19087**
Post Office Address: **Same**

Full name of FIFTH JOINT INVENTOR: **Robert R. SINGHAUS, Jr.**

Inventor's Signature _____ Date _____

Country of Citizenship: **United States of America**
Residence : **333 Sooner Lane, Blandon, Pennsylvania 19510**
Post Office Address: **Same**

Full name of SIXTH JOINT INVENTOR: **John W. ULLRICH**

Inventor's Signature _____ Date _____

Country of Citizenship: **United States of America**

Residence : **121 Edgefield Drive, Downingtown, Pennsylvania 19335**

Post Office Address: **Same**

Full name of SEVENTH JOINT INVENTOR: **Rayomand J. UNWALLA**

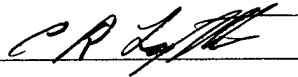
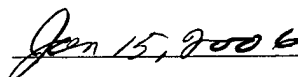
Inventor's Signature _____ Date _____

Country of Citizenship: **India**

Residence : **4025 Killington Court, Eagleville, Pennsylvania 19403**

Post Office Address: **Same**

Full name of EIGHTH JOINT INVENTOR: **C. Richard LYTTLE**

Inventor's Signature  Date 

Country of Citizenship: **Canada**

Residence : **120 Edgehill Road, Bala Cynwyd, Pennsylvania 19004**

Post Office Address: **Same**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Christopher P. Miller et al.

Confirmation No.: 5396

Serial No.: 10/828,970

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Filing Date: April 21, 2004

Examiner: Bernard I. Dentz

For: SUBSTITUTED 2-PHENYL BENZOFURANS AS ESTROGENIC AGENTS

Customer No.: 35139

MAIL STOP ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CONSENT OF ASSIGNEE TO CORRECTION OF INVENTORSHIP

Sir:

Accompanying this paper is a Request for Corrected Inventorship, and a Statement under 37 C.F.R. § 3.73(b) indicating the above-referenced application is currently assigned to Wyeth, and an Assignment from C. Richard Lyttle to Wyeth which is being filed contemporaneously herewith. A copy of that assignment is also attached.

Assignee hereby consents to the addition of C. Richard Lyttle as an inventor and the deletion of Heather A. Harris, James C. Keith, Jr., and Leo M. Albert as inventors in the above-referenced patent application. The correct inventorship is Christopher P. Miller, Michael D. Collini, David H. Kaufman, Robert L. Morris, Robert R. Singhaus, Jr., John W. Ullrich, Rayomand J. Unwalla, and C. Richard Lyttle. The error in inventorship arose with any deceptive intent.

Favorable action on the Request for Corrected Inventorship is requested.

Respectfully submitted,

WYETH

by: 
Assistant Secretary

MAP:

STATEMENT UNDER 37 CFR 3.73(b)Applicant/Patent Owner: WyethApplication No./Patent No.: 10/828,970Filed/Issue Date: April 21, 2004Entitled: SUBSTITUTED 2-PHENYL BENZOFURANS AS ESTROGENIC AGENTSWyeth, a Corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title, and interest
The extent (by percentage) of its ownership interest is _____ %

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 015253 / 016895, Frame 0635 / 0017, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

2. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

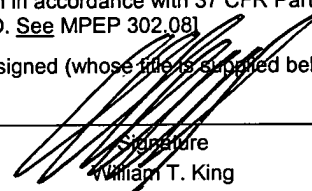
3. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

- ☐ Copies of assignments or other documents in the chain of title are attached.

(NOTE: A separate copy (i.e., a true copy of the original document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08)

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.



Signature
William T. King

Printed or Typed Name
Assistant Secretary

Title

4 January 2006

Date
484 865-8613

Telephone Number



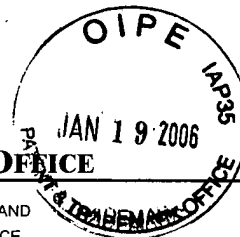
This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

WYTHOC 9-101
139049
AM 100787-D1



MPS/maP



UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED
COZEN IP DEPT.

PTAS

OCT 26 2004



102730847A

OCTOBER 19, 2004

COZEN O'CONNOR
MICHAEL A. PATANE
1900 MARKET STREET
PHILADELPHIA, PA 19103

DUE DATE N/A
MAX DATE
DOCKETED BY M

UNITED STATES PATENT AND TRADEMARK OFFICE
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RECORDATION DATE: 04/21/2004

REEL/FRAME: 015253/0635

NUMBER OF PAGES: 13

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

MILLER, CHRISTOPHER P.

DOC DATE: 02/28/2003

ASSIGNOR:

COLLINI, MICHAEL D.

DOC DATE: 03/13/2003

ASSIGNOR:

KAUFMAN, DAVID H.

DOC DATE: 03/03/2003

ASSIGNOR:

MORRIS, ROBERT L.

DOC DATE: 02/28/2003

ASSIGNOR:

SINGHAUS, ROBERT R., JR.

DOC DATE: 02/28/2003

ASSIGNOR:

ULLRICH, JOHN W.

DOC DATE: 02/28/2003

ASSIGNOR:
HARIS, HEATHER A.

DOC DATE: 02/26/2003

ASSIGNOR:
KEITH, JAMES C., JR.

DOC DATE: 02/13/2003

ASSIGNOR:
ALBERT, LEO M.

DOC DATE: 02/13/2003

ASSIGNOR:
UNWALLA, RAOMAND J.

DOC DATE: 02/27/2003

ASSIGNEE:
WYETH
5 GIRALDA FARMS
MADISON, NEW JERSEY 07940

SERIAL NUMBER: 10828897

FILING DATE: 04/20/2004

PATENT NUMBER:

ISSUE DATE:

TITLE: METHODS AND DEVICES FOR DETERMINING HEART RATE RECOVERY

KIMBERLY WHITE, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

BEST AVAILABLE COPY

04-27-2004

Form PTO-1595

RECC

(Rev. 10/02)

OMB No. 0651-0027 (exp. 6/30/2005)

U.S. DEPARTMENT OF COMMERCE
U.S. Patent and Trademark Office
WYTH0039-101/150891

Tab settings ⇨ ⇨ ⇨ ▼ ▼ ▼

102730847

To the Honorable Commissioner of Patents and Trademarks: Please Record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Christopher P. Miller on 02/28/2003
Michael D. Collini on 03/13/2003
David H. Kaufman on 03/03/2003
Robert L. Morris on 02/28/2003
Robert R. Singhaus, Jr. on 02/28/2003
John W. Ullrich on 02/28/2003
Heather A. Harris on 02/26/2003
James C. Keith, Jr. on 02/13/2003
Leo M. Albert on 02/13/2003
Rayomand J. Unwalla on 02/27/2003

4-21-04

2. Name and address of receiving party(ies)

Name: Wyeth

Street Address: 5 Giralda Farms

City: Madison

State: NJ

Zip: 07940

Additional Name(s) & address(es) attached? ☐ Yes ☒ No

Additional name of conveying party(ies) attached? ☐ Yes ☒ No

3. Nature of conveyance:

☒ Assignment

Execution Date: See dates above



4. Application number(s) or patent number(s):

10828970

DIVISIONAL APPLICATION BEING FILED CONCURRENTLY HERewith

Additional numbers attached? ☐ Yes ☐ No

5. Name and address of party to whom correspondence concerning this document should be mailed:

Name: Michael A. Patané

Street Address: Cozen O'Connor
1900 Market Street
Philadelphia, PA 19103

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41) \$ 40.00

☐ Enclosed

☒ Authorized to be charged to deposit account

8. Deposit account number:

50-1275

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Michael A. Patané

Name of Person Signing

Michael A. Patané
Signature 42,982

April 21, 2004

Date

Total number of pages including cover sheet, attachments, and documents: 13

Mail documents to be recorded with required cover sheet information to:

04/26/2004 8TON11 00000016 501275 10828970

01 FC:8021 40.00 DA

For: ☒ U.S. and/or ☒ Foreign Rights
For: ☒ U.S. Application or ☐ U.S. Patent

Assignment of Invention

In consideration of the payment by ASSIGNEE to ASSIGNOR of good and valuable consideration, the receipt of which is hereby acknowledged,
ASSIGNOR:

-
- (1) Full Name of Inventor: Christopher P. MILLER
Residence: 72 Meadowbrook Road, Wayne, PA 19087
Citizenship: USA
-
- (2) Full Name of Inventor: Michael D. COLLINI
Residence: 251 Davis Avenue, Clifton Heights, PA 19018
Citizenship: USA
-
- (3) Full Name of Inventor: David H. KAUFMAN
Residence: 750 Old Lancaster Road, Apt. B304, Berwyn, PA 19312
Citizenship: USA
-
- (4) Full Name of Inventor: Robert L. MORRIS
Residence: 125 Conestoga Road, Wayne, PA 19087
Citizenship: USA
-
- (5) Full Name of Inventor: Robert R. SINGHAUS, Jr.
Residence: 1811 North Hills Road, Apt. 40, Norristown, PA 19401
Citizenship: USA
-
- (6) Full Name of Inventor: John W. ULLRICH
Residence: 317 Misty Autumn Drive, Exton, PA 19341
Citizenship: USA
-
- (7) Full Name of Inventor: Heather A. HARRIS
Residence: 210 Pine Drive, Phoenixville, PA 19460
Citizenship: USA
-
- (8) Full Name of Inventor: James C. KEITH, Jr.
Residence: 28 Vine Street, Andover, MA 01810
Citizenship: USA
-

- (9) Full Name of Inventor: Leo M. ALBERT
Residence: 17 Freeport Drive, Burlington, MA 01803
Citizenship: USA

- (10) Full Name of Inventor: Rayomand J. UNWALLA
Residence: 4025 Killington Court, Eagleville, PA, 19403
Citizenship: USA

hereby sells, assigns and transfers to ASSIGNEE:

Wyeth
5 Five Giralda Farms
Madison, NJ 07940-0874



and the successors, assigns and legal representatives of the ASSIGNEE the entire right, title and interest for the United States and its territorial possessions and in all foreign countries, including all rights to claim priority, in and to the invention entitled:

SUBSTITUTED 2-PHENYL BENZOFURANS AS ESTROGENIC AGENTS

and invented by ASSIGNOR and the following additional inventors, if any:

and which is found in

[check and complete (a), (b), (c), (d) or (e)]

- (a) ☐ U.S. patent application executed on even date herewith.
(b) ☐ U.S. patent application executed on:
(c) ☐ U.S. provisional application, not yet filed, naming the above inventor(s) for the above-entitled invention
☐ Express mail label no.:
(d) ☒ U.S. application Serial No. 10/320,207 filed on December 16, 2002
(e) ☐ U.S. Patent No. issued on:

[also check (f) if foreign application(s) is(are) also being assigned]

- (f) ☒ and any legal equivalent thereof in a foreign country,

including the right to claim priority, including any and all improvements disclosed therein, and in and to all Letters Patent to be obtained for said invention by the above application or any subsequently filed provisional, nonprovisional, continuation, divisional, renewal, or substitute thereof, and as to Letters Patent any reissue or re-examination thereof.

ASSIGNOR hereby covenants that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this assignment.

ASSIGNOR authorizes ASSIGNEE to make applications for and to receive Letters patent for said invention in any of said countries in its own name, or in ASSIGNOR's name, at its election.

ASSIGNOR covenants and agrees to execute or procure any further necessary assurance of the title to said invention and any Letters Patent which may issue therefore and to, at any time, upon the request and at the expense of ASSIGNEE deliver any testimony in any interference, litigation or proceeding related thereto and execute all papers that may be necessary or desirable to perfect the title to said invention or any Letters Patent which may be granted therefore in ASSIGNEE, its successors, assigns or other legal representatives, and that to, at any time, upon the request and at the expense of ASSIGNEE execute any continuation, continuation-in-part, divisional, renewal or substitute thereof, and as to Letters Patent and reissue or re-examination thereof, or any other additional applications of Letters Patent for said invention or any part thereof, all of which applications and any Letters Patent issuing thereon are hereby assigned to ASSIGNEE, and will make all rightful oaths or declarations, and do all lawful acts requisite for procuring the same therein, without further compensation, but at the expense of ASSIGNEE, its successors, assigns or other legal representatives.

ASSIGNOR authorizes and requests the Commissioner of Patents to issue any and all Letters Patent of the United States for said invention, resulting from any of the aforesaid applications to its ASSIGNEE.

Christopher P. Miller
Christopher P. Miller

L.S.

2-28-03
Date

~~~~~  
ACKNOWLEDGMENT

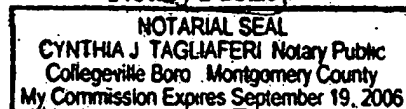
State of Pennsylvania }

ss:

County of Montgomery }

On the 28<sup>th</sup> day of Feb. 2003, Christopher P. Miller personally appeared before me, known by me to be the same person described in and who executed the foregoing instrument, and acknowledged that he/she executed the same, of his/her own free will and for the purposes set forth.

[Signature]  
Notary Public



Michael D. Collini

Michael D. Collini

L.S.

3/3/03

Date

ACKNOWLEDGMENT

State of Pennsylvania }

ss:

County of Montgomery }

On the 3<sup>rd</sup> day of March 2003, Michael D. Collini personally appeared before me, known by me to be the same person described in and who executed the foregoing instrument, and acknowledged that he/she executed the same, of his/her own free will and for the purposes set forth.

[Signature]  
Notary Public

NOTARIAL SEAL  
CYNTHIA J. TAGLIAFERI Notary Public  
Collegeville Boro Montgomery County  
My Commission Expires September 19, 2006

David H. Kaufman  
David H. Kaufman

L.S.

3/3/03  
Date

ACKNOWLEDGMENT

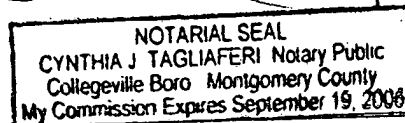
State of Pennsylvania }

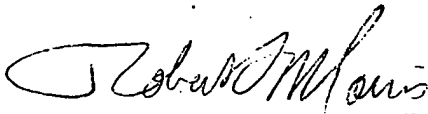
ss:

County of Montgomery }

On the 3<sup>rd</sup> day of March 2003, David H. Kaufman personally appeared before me, known by me to be the same person described in and who executed the foregoing instrument, and acknowledged that he/she executed the same, of his/her own free will and for the purposes set forth.

[Signature]  
Notary Public





Robert L. Morris

L.S.

Date

2/28/03

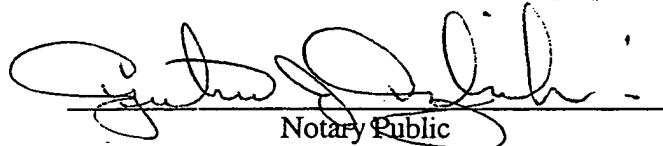
ACKNOWLEDGMENT

State of Pennsylvania }

ss:

County of Montgomery }

On the 28<sup>th</sup> day of Feb. 2003, Robert L. Morris personally appeared before me, known by me to be the same person described in and who executed the foregoing instrument, and acknowledged that he/she executed the same, of his/her own free will and for the purposes set forth.

  
Notary Public



Robert R. Singhaus, Jr.  
Robert R. Singhaus, Jr. L.S.

2/28/03  
Date

ACKNOWLEDGMENT

State of Pennsylvania }

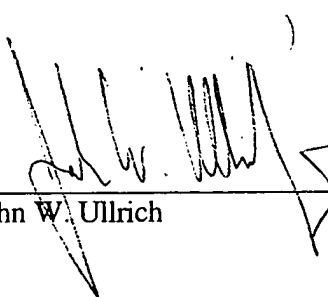
ss:

County of Montgomery }

On the 28<sup>th</sup> day of Feb. 2003, Robert R. Singhaus, Jr. personally appeared before me, known by me to be the same person described in and who executed the foregoing instrument, and acknowledged that he/she executed the same, of his/her own free will and for the purposes set forth.

[Signature]  
Notary Public



  
John W. Ullrich

L.S.

2/28/03  
Date

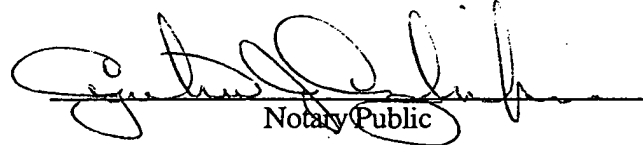
ACKNOWLEDGMENT

State of Pennsylvania }

ss:

County of Montgomery }

On the 28<sup>th</sup> day of Feb. 2003, John W. Ullrich personally appeared before me, known by me to be the same person described in and who executed the foregoing instrument, and acknowledged that he/she executed the same, of his/her own free will and for the purposes set forth.

  
Notary Public



Heather A. Harris

L.S.

2/26/03  
DateACKNOWLEDGMENTState of Pennsylvania }

ss:

County of Montgomery }

On the 26<sup>th</sup> day of Feb. 2003, Heather A. Harris personally appeared before me, known by me to be the same person described in and who executed the foregoing instrument, and acknowledged that he/she executed the same, of his/her own free will and for the purposes set forth.

  
Notary Public

NOTARIAL SEAL  
CYNTHIA J. TAGLIAFERI Notary Public  
Collegeville Boro Montgomery County  
My Commission Expires September 19, 2006

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Docket No: AM100787  
Patent

James C. Keith, Jr.  
James C. Keith, Jr.

L.S.

February 13, 2003  
Date

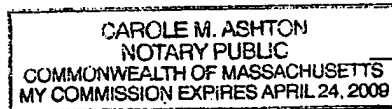
ACKNOWLEDGMENT

State of Massachusetts }

ss:

County of Essex }

On the 13<sup>th</sup> day of February 2003, James C. Keith, Jr. personally appeared before me, known by me to be the same person described in and who executed the foregoing instrument, and acknowledged that he/she executed the same, of his/her own free will and for the purposes set forth.



Carole M. Ashton  
Notary Public



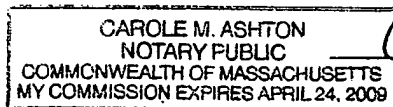
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Leo M. Albert L.S. 2-13-03  
Date

ACKNOWLEDGMENT

State of Massachusetts )  
County of Essex )  
ss:

On the 13<sup>th</sup> day of February 2003, Leo M. Albert personally appeared before me, known by me to be the same person described in and who executed the foregoing instrument, and acknowledged that he/she executed the same, of his/her own free will and for the purposes set forth.



Carole M. Ashton  
Notary Public

Date \_\_\_\_\_

## ACKNOWLEDGMENT

**SS:**

On the 28<sup>th</sup> day of Feb. 2003, Rayomand J. Unwalla personally appeared before me, known by me to be the same person described in and who executed the foregoing instrument, and acknowledged that he/she executed the same, of his/her own free will and for the purposes set forth.

Notary Public





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## UNITED STATES PATENT AND TRADEMARK OFFICE

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DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

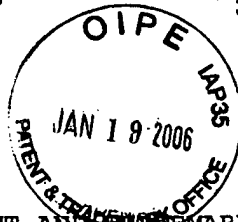
DECEMBER 14, 2005

COZEN O'CONNOR  
1900 MARKET STREET  
PHILADELPHIA, PA 19103

PTAS

\*500065684A\*

\*500065684A\*

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RECORDATION DATE: 12/14/2005

REEL/FRAME: 016895/0017

NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).  
DOCKET NUMBER: WYTH0039-101

## ASSIGNOR:

LYTTLE, C. RICHARD

DOC DATE: 12/13/2005

## ASSIGNEE:

WYETH

FIVE GIRALDA FARMS

MADISON, NEW JERSEY 07940

SERIAL NUMBER: 10828970

FILING DATE: 04/21/2004

PATENT NUMBER:

ISSUE DATE:

TITLE: SUBSTITUTED 2-PHENYL BENZOFURANS AS ESTROGENIC AGENTS

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12/14/05 9:44

PAGE 003/004

Fax Server

016895/0017 PAGE 2

ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

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## PATENT ASSIGNMENT

Electronic Version v1.1  
Stylesheet Version v1.1

12/14/2005  
500065684

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|                                                                                              |                                  |
|----------------------------------------------------------------------------------------------|----------------------------------|
| SUBMISSION TYPE:                                                                             | NEW ASSIGNMENT                   |
| NATURE OF CONVEYANCE:                                                                        | ASSIGNMENT                       |
| CONVEYING PARTY DATA                                                                         |                                  |
| Name                                                                                         | Execution Date                   |
| C. Richard LYTTLE                                                                            | 12/13/2005                       |
| RECEIVING PARTY DATA                                                                         |                                  |
| Name:                                                                                        | Wyeth                            |
| Street Address:                                                                              | Five Giralda Farms               |
| City:                                                                                        | Madison                          |
| State/Country:                                                                               | NEW JERSEY                       |
| Postal Code:                                                                                 | 07940                            |
| PROPERTY NUMBERS Total: 1                                                                    |                                  |
| Property Type                                                                                | Number                           |
| Application Number:                                                                          | 10828970                         |
| CORRESPONDENCE DATA                                                                          |                                  |
| Fax Number:                                                                                  | (215)665-2013                    |
| <i>Correspondence will be sent via US Mail when the fax attempt is unsuccessful.</i>         |                                  |
| Phone:                                                                                       | 215-665-2000                     |
| Email:                                                                                       | jilulianti@cozen.com             |
| Correspondent Name:                                                                          | Cozen O'Connor                   |
| Address Line 1:                                                                              | 1900 Market Street               |
| Address Line 4:                                                                              | Philadelphia, PENNSYLVANIA 19103 |
| ATTORNEY DOCKET NUMBER:                                                                      | WYTH0039-101                     |
| NAME OF SUBMITTER:                                                                           | Michael P. Straher               |
| Total Attachments: 2<br>source=10828970 assign#page1.tif<br>source=10828970 assign#page2.tif |                                  |

CH \$40.00 10828970

BEST AVAILABLE COPY

Assignment of Invention

In consideration of the payment by ASSIGNEE to ASSIGNOR of good and valuable consideration, the receipt of which is hereby acknowledged,  
ASSIGNOR:

- (1) Full Name of Inventor: C. Richard LYTTLE  
Residence: 120 Edgehill Road, Bala Cynwyd, Pennsylvania 19004  
Citizenship: Canada

hereby sells, assigns and transfers to ASSIGNEE:

Wyeth  
Five Giralda Farms  
Madison, New Jersey 07940

and the successors, assigns and legal representatives of the ASSIGNEE the entire right, title and interest for the United States and its territorial possessions and in all foreign countries, including all rights to claim priority, in and to the invention entitled:

**SUBSTITUTED 2-PHENYL BENZOFURANS AS ESTROGENIC AGENTS**

and invented by ASSIGNOR and the following additional inventors:

Christopher P. MILLER, Michael D. COLLINI, David B. KAUFMAN, Robert L. MORRIS,  
Robert R. SINGHAUS, Jr., and John W. ULLRICH

and which is found in U.S. Application No. 10/828,970 filed on: April 21, 2004

[also check if foreign application(s) is(are) also being assigned]

☒ and any legal equivalent thereof in a foreign country,

the date of filing and application number of said U.S. application when known, to be inserted above, including the right to claim priority, including any and all improvements disclosed therein, and in and to all Letters Patent to be obtained for said invention by the above application or any subsequently filed provisional, nonprovisional, continuation, divisional, renewal, or substitute thereof, and as to Letters Patent any reissue or re-examination thereof.

ASSIGNOR hereby covenants that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this assignment.

ASSIGNOR authorizes ASSIGNEE to make applications for and to receive Letters patent for said invention in any of said countries in its own name, or in ASSIGNOR's name, at its election.

ASSIGNOR covenants and agrees to execute or procure any further necessary assurance of the title to said invention and any Letters Patent which may issue therefore and to, at any time, upon the request and at the expense of ASSIGNEE deliver any testimony in any interference, litigation or proceeding related thereto and execute all papers that may be necessary or desirable to perfect the title to said invention or any Letters Patent which may be granted therefore in ASSIGNEE, its successors, assigns or other legal representatives, and that to, at any time, upon the request and at the expense of ASSIGNEE execute any

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continuation, continuation-in-part, divisional, renewal or substitute thereof, and as to Letters Patent and reissue or re-examination thereof, or any other additional applications of Letters Patent for said invention or any part thereof, all of which applications and any Letters Patent issuing thereon are hereby assigned to ASSIGNEE, and will make all rightful oaths or declarations, and do all lawful acts requisite for procuring the same therein, without further compensation, but at the expense of ASSIGNEE, its successors, assigns or other legal representatives.

ASSIGNOR authorizes and requests the Commissioner of Patents to issue any and all Letters Patent of the United States for said invention, resulting from any of the aforesaid applications to its ASSIGNEE.

C. Richard LYTTLE  
C. Richard LYTTLE

Dec 13, 2005  
Date

ACKNOWLEDGMENT

*Commonwealth*

State of Massachusetts }  
County of Middlesex } ss:

On the 13 day of December 2005, C. Richard LYTTLE personally appeared before me, known by me to be the same person described in and who executed the foregoing instrument, and acknowledged that he/she executed the same, of his/her own free will and for the purposes set forth.

Edith M. Estabrook  
Notary Public

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